

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADREA, LLC,

Plaintiff,

v.

BARNES & NOBLE, INC.,
BARNESANDNOBLE.COM LLC, and
NOOK MEDIA LLC,

Defendants.

Civil Action No. 13-cv-4137 (JSR)

**DECLARATION OF BRENDAN COX IN SUPPORT OF PLAINTIFF'S
MOTION TO EXCLUDE THE EXPERT TESTIMONY OF
NED BARNES AND B. CLIFFORD NEUMAN**

I, Brendan Cox, declare as follows:

1. I am an attorney at Proskauer Rose LLP, counsel for Plaintiff ADREA, LLC. I submit this declaration to place before the Court documents in support of Plaintiff ADREA, LLC's Motion to Exclude the Expert Testimony of Ned Barnes and B. Clifford Neuman.

2. Attached as Exhibit A is a true and correct copy of the Expert Report of Ned S. Barnes, CPA (and exhibits), dated December 30, 2013 [FILED UNDER SEAL];

3. Attached as Exhibit B is a true and correct copy of excerpts from the deposition transcript of Ned. S. Barnes, CPA, dated January 17, 2014;

4. Attached as Exhibit C is a true and correct copy of the Expert Report of B. Clifford Neuman, Ph.D., dated December 11, 2013;

5. Attached as Exhibit D is a true and correct copy of excerpts from the deposition transcript of B. Clifford Neuman, Ph.D., dated January 23, 2014;

6. Attached as Exhibit E is a true and correct copy of an excerpt from R. Troxel, et al, *Assets and Finances: Calculating Intellectual Property Damages*, Thomson Reuters (2013);

7. Attached as Exhibit F is a true and correct copy of excerpts from the Expert Report of Professor Stephen P. Magee, dated December 11, 2013 [FILED UNDER SEAL]; and

8. Attached as Exhibit G is a true and correct copy of U.S. Patent No. 4,899,299.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 5, 2014.

/s/ Brendan Cox
Brendan Cox

CERTIFICATE OF SERVICE

I certify that on September 5, 2014, I caused a copy of the forgoing document to be served upon counsel of record for Barnes & Noble, Inc., barnesandnoble.com llc, and Nook Media LLC by electronic mail.

Louis S. Ederer
Susan Lee Shin
Yue-Han Chow
Maxwell Charles Preston
ARNOLD & PORTER LLP
399 Park Avenue
New York, NY 10022-4690
Telephone: (212) 715-1000
Facsimile: (212) 715-1399
louis.ederer@aporter.com
susan.shin@aporter.com
yue-han.chow@aporter.com
maxwell.preston@aporter.com

Ali R. Sharifahmadian (*pro hac vice*)
Sarah Brackney Arni (*pro hac vice*)
ARNOLD & PORTER LLP
555 Twelfth Street, NW
Washington, DC 20004-1206
Telephone: (202) 942-5000
Facsimile: (202) 942-5999
ali.sharifahmadian@aporter.com
sarah.arni@aporter.com

Michael A. Berta, Jr. (*pro hac vice*)
Willow W. Noonan (*pro hac vice*)
ARNOLD & PORTER LLP
Three Embarcadero Center, 10th Floor
San Francisco, CA 94111-4024
Telephone: (415) 471-3100
Facsimile: (415)-471-3400
michael.bertha@aporter.com
willow.noonan@aporter.com

*Attorneys for Defendants Barnes & Noble, Inc.,
barnesandnoble.com llc, and Nook Media LLC*

/s/ Brendan Cox
Brendan Cox